

**Notice of Allowability**

Application No.

09/901,293

Examiner

Jennifer Doan

Applicant(s)

O'TOOLE ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on November 10, 2004.
2. ☒ The allowed claim(s) is/are 1-35,37-45,51 and 52.
3. ☒ The drawings filed on 09 July 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).  
\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)  
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 092304  
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material  
5. ☐ Notice of Informal Patent Application (PTO-152)  
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.  
7. ☐ Examiner's Amendment/Comment  
8. ☒ Examiner's Statement of Reasons for Allowance  
9. ☐ Other \_\_\_\_\_.

*Akmal*  
AKM ENAYET ULLAH  
PRIMARY EXAMINER

## **EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE**

### **Reasons for allowance**

1. The following is an examiner's statement of reasons for allowance:

None of the references discloses alone or in combination an optoelectric module having x, y and z axes comprising a plurality of OEDS for converting between optical and electrical signals; wherein the distance between the second ends of at least two optical paths is greater than the distance between the corresponding first ends and wherein the distance across the second ends along the x-axis is no greater than the distance across the first ends along the x-axis as recited in claim 1; an optical subassembly comprising a unitary structure of an optically-clear moldable material; a plurality of OED receptacles for receiving the OEDs, each OED receptacle including one of said second lenses; and at least one alignment member for aligning each fiber end of a multi-fiber array with a first lens; and a plurality of OEDs mounted in the OED receptacles, each OED being optically coupled to one of the second lenses; wherein the distance between adjacent second lens is greater than the distance between the corresponding first lenses and wherein the distance across the second lenses along the x-axis is no greater than the distance across the first lenses along the x-axis and further wherein a partially-reflective surface is at an angle to the transmitting optical path such that the optical path of the reflected portion of light is not coaxial to the transmitting optical path and is incident upon a monitor for controlling the output of the light-emitting

OED as recited in claims 21, 35, 37 and 38, in combination with the remaining claimed limitations.

The examiner agrees with applicants' arguments in the remarks filed on November 10, 2004, and fully concurs that DeAndrea reference does not disclose or suggest an optical subassembly with all the limitations above.

Claims 1-35, 37-45, 51 and 52 are therefore allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

2. The prior art documents submitted by applicant in the Information Disclosure Statement filed on 09/23/2004, have all been considered and made of record (note the attached copy of form PTO-1449). These documents also fail to disclose or suggest the limitations above.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer Doan whose telephone number is (571) 272-2346. The examiner can normally be reached on Monday to Thursday from 6:00am to 3:30pm, second Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (571) 272-2344. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jennifer Doan

Patent Examiner

February 25, 2005



AKM ENAYET ULLAH  
PRIMARY EXAMINER